



# भारत का राजपत्र

## The Gazette of India

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No. 12

NEW DELHI, FRIDAY, MARCH 27, 1987/CHAITRA 6, 1909

इस भाग में भिन्न पृष्ठ संख्या वाली जाती है जिससे कि यह अलग संकलन  
को रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation

### LOK SABHA

The following Bills were introduced in Lok Sabha on the 27th March, 1987:—

#### BILL NO. 12 OF 1987

*A Bill to provide for prohibition of the formation of religious, communal and sectoral political parties*

WHEREAS it has been noted that a large number of religious and communal groups have been forming political parties for the purpose of elections to the Houses of Parliament and to the State Legislatures and seeking allotment of symbols giving rise to a situation where narrow religious, communal and sectoral considerations take the place of consideration for socio-economic policies;

AND WHEREAS such a situation is inconsistent with the principles of sovereign, socialist, secular, democratic Republic and unity and integrity of the nation as contemplated under the Preamble to the Constitution;

AND WHEREAS it is considered expedient in the interest of purity of elections to the Houses of Parliament and legislatures of various States and in the interest of elections to be held in a fair and efficient manner to prohibit the formation of religious and communal political parties;

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Religious, Communal and Sectoral Political Parties Act, 1987.

com-  
mence-  
ment.

- (2) It extends to the whole of India.  
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Defini-  
tion.

2. In this Act, unless the context otherwise requires, "political parties" means an association or body of individual citizens of India registered with the Election Commission as a political party.

Prohibi-  
tion of  
religious  
or com-  
munal  
political  
parties.

3. The political parties based on a single religion or formed by a religious or communal body shall be prohibited.

### STATEMENT OF OBJECTS AND REASONS

Growing tendencies to play with religious sentiments and to evoke religious, communal and sectoral loyalties of masses with the obvious object of seeking easy elections to the Houses of Parliament and Legislatures in different States can be witnessed on the eve of and during elections. A situation has arisen where narrow religious, communal and sectoral considerations take the place of consideration for socio-economic policies pursued by various political parties. Emotions and sentiments for narrow sectoral affinities tend to blur the enlightened public opinion and balanced judgement of the people while deciding the destiny of the Nation by way of elections. These narrow tendencies present a grave threat to the very unity and integrity of the Nation and militate against the principles of sovereignty, socialism, secularism and democracy which the Constitution of India seeks to establish.

Since there is no specific provision for the recognition of religious, communal or sectoral political parties by the Election Commission, the Bill will empower the Election Commission not to recognise the political parties based on a single religion or formed by a religious or communal body.

Hence this Bill.

NEW DELHI;

February 2, 1987.

THAMPAN THOMAS

## BILL No. 22 OF 1987

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Thiry-eighth Year of the Republic of India as follows:—

**Short title.**

1. This Act may be called the Constitution (Amendment) Act, 1987.

**Insertion of new articles 4A, 4B and 4C.**

2. In Part I of the Constitution, after article 4, the following **articles** shall be inserted, namely:—

**Districts.**

“4A. Every State and Union territory Government shall divide its State or Union territory, as the case may be, into administrative units known as ‘Districts’.

**Provision for Legislation for Districts.**

4B. The State and Union territory legislatures and in case of the Union territories not having the legislatures, the Parliament, may, by law, determine the basis on which the District referred to under article 4A shall be created and such law may provide, subject to the provisions of this Constitution for all the matters related and incidental to the formation of a district.

**Elected body for districts.**

4C. There shall be an elected body to be known as ‘Zila Parishad’ for every district, elected for a period of five years by direct elections conducted by Election Commission by and under a law enacted by Parliament for the purpose.”

3. After article 281 of the Constitution, the following article shall be inserted, namely:—

Insertion  
of new  
article  
281A.

State  
Finance  
Commis-  
sions.

**"281A. (1) The Governor of each State and the Administrator of every Union territory shall, within three months from the date of the enforcement of this Act, constitute a Commission to be known as State Finance Commission, which shall consist of a Chairman and four other members to be appointed by the Governor or the Administrator, as the case may be.**

(2) The Legislative Assembly of every State and Union territory, and in case of the Union territories not having the Legislatures, the Parliament, may, by law, determine the term of the Commission, which shall not be of the period of less than five years, qualification, salaries and emoluments of the Chairman and other members and the procedure to be followed by the Commission in performing its functions.

(3) It shall be the duty of the Commission to make recommendations to the Governor of a State or the Administrator of a Union territory, as the case may be, as to—

(a) the allocation of funds by the State or the Union territory Governments to the various districts created under article 4A for the developmental purposes or otherwise; and

(b) any other financial matter that may be referred to by the Governor/Administrator to the Commission for opinion or recommendation thereon.”.

### SATEMENT OF OBJECTS AND REASONS

Under our Constitution, Union of India has been divided into various States and Union territories. The States and Union territories are further divided into districts. The districts today are, in fact, the real backbone of our administration and, of our developmental process. However, this important administrative unit of Union of India, has not been recognised by the Constitution. Districts are created by State and Union territory Governments by and under ordinary legislations. Although details regarding administrative set-up of districts may be provided through ordinary legislations, yet it would be just and appropriate that districts are firstly recognised by the Constitution by laying down a broad outline of the same as also by giving the vital administrative units a place of honour in the statute that we honour the most, i.e., the Constitution of India.

The Bill seeks to achieve this very object.

NEW DELHI;  
February 17, 1987.

SHANTARAM NAIK

### FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that the elections to the elected bodies in each of the districts known as 'Zila Parishad' are to be conducted by the Election Commission. This will involve an annual expenditure to the tune of rupees five crores from the Consolidated Fund of India.

Clause 3 provides for the constitution of State Finance Commissions, by the State and Union territory Governments, consisting of a Chairman and four other members. As far the States, the respective State Governments will incur expenditure from their Consolidated Funds. As for Union territories, the Central Government has to incur expenditure from the Consolidated Fund of India. This will also involve a recurring expenditure, approximately, to the tune of rupees two crores.

Non-recurring expenditure of about rupees ten lakhs is also likely to be involved.

## BILL No. 25 OF 1987

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1987.
2. In the Eighth Schedule to the Constitution, entries 7 to 15 shall be re-numbered as entries 8 to 16 respectively, and before entry 8 as so re-numbered, the entry, "7. Konkani," shall be inserted.

Short title.

Amend-  
ment of  
Eighth  
Schedule.

### STATEMENT OF OBJECTS AND REASONS

Konkani, which is an independent literary language and certified as such by the Sahitya Academy, New Delhi, in the year 1976, spoken by 95 per cent. of the people of Goa and also by several lakhs of people in the States of Karnataka and Kerala, has still not been recognised by the Constitution of India. The question being asked is that had Goa been liberated along with the rest of the country in the year 1947, would the language of this territory been left unrecognised by the Constitution? And, when the Government of India liberated Goa from the Portuguese rule on 19th December, 1961, and by the Constitution (Twelfth Amendment) Act, 1962, made the Union territory of Goa, Daman and Diu constitutionally a part and parcel of the Union of India, the Government did not amend Eighth Schedule to the Constitution to incorporate the language of the people of Goa therein-thereby, owning merely the territory but not its language. This gave a scope for some people in Goa to crush the language. However, it being the peoples' language, nothing could harm it and, now, by and under the Goa, Daman and Diu Official Language Bill, 1987, Konkani has been recognised as the official language of Goa.

It is, therefore, high time for the Government of India to include Konkani in the Eighth Schedule to the Constitution of India.

The Bill seeks to achieve the said objective.

NEW DELHI;  
*February 10, 1987.*

SHANTARAM NAIK

## BILL No. 34 OF 1987

A Bill to amend the Prevention of Insults to National Honour Act, 1971.

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Prevention of Insults to National Honour (Amendment) Act, 1987.

Short title.

2. In section 2 of the Prevention of Insults to National Honour Act, 1971,—

Amend-  
ment of  
section 2.

69 of 1971, (i) after the words "Constitution of India or any part thereof", the following words shall be inserted, namely:—

"or National Emblem or Insignia or Award or any other object pertaining to national honour and or refuses to sing National Anthem or tries to mobilise public opinion against, or creates public hatred against, or makes appeals to boycott, or tries to obstruct, in any form, implicitly or explicitly, the observance of national functions such as the Republic Day, Independence Day and any other celebrations of national importance"; and

(ii) for the words "shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both" the words "shall forfeit his right of franchise for a period of six years and shall be punished with imprisonment which may extend to five years or fine which may extend to ten thousand rupees or with both" shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

There has arisen a tendency among some citizens to indulge in acts of insult to national honour by speeches, actions and in so many other ways causing secessionist and fissiparous involvement among the vulnerable sections of Indian population. All these actions are neither befitting the Indian citizenship nor in the interest of nation's honour. The punishment prescribed in the Prevention of Insults to National Honour Act, 1971 is not deterrent enough which the exigencies of the situation inevitably call for.

Hence this Bill.

NEW DELHI;

SHRIPATI MISHRA

*February 17, 1987.*

## BILL NO. 23 OF 1987

*A Bill further to amend the Constitution of India.*

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows: —

1. This Act may be called the Constitution (Amendment) Act, 1987.
2. For article 371 of the Constitution, the following article shall be substituted, namely:—

"371. (1) Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Maharashtra or Gujarat, provide for the establishment of separate boards for the development of Maharashtra or, as the case may be, of Gujarat, and, in particular of the districts of Nagpur, Akola, Amravati, Bhandara, Buldhana, Chandrapur, Wardha and Yavatmal in Vidarbha region and the districts of Aurangabad, Bir, Parbani, Nanded, Osmanabad, Latur and Jalna in the Marathwada region and Saurashtra and Kutch in Gujarat, by the Government of Maharashtra or, as the case may be, by the Government of Gujarat.

(2) Each board shall take special steps to secure rapid and accelerated development of the said areas in all fields, especially, educational, economic, cultural and social, in order to bring these areas at par with other developed areas of the State.

(3) Each board shall make a report to the Government of the respective State and to the President after every six months regarding the progress of development in different fields and the executive power of the Union shall extend to the giving of directions to the board and the concerned Government as to the development measures taken or to be taken by the board in consultation with the Government of the State.

(4) The President may make such other orders in respect of the development of these two States as he may consider necessary having regard to the requirements of each of the States.”.

Short title.

Substitution of new article for article 371.

Special provision with respect to the States of Maharashtra and Gujarat.

**STATEMENT OF OBJECTS AND REASONS**

Under article 371 of the Constitution, a special provision for the development of the States of Maharashtra and Gujarat was made at the time of the formation of these States. Inspite of the assurances to the effect that the under-developed areas of the States would not suffer for want of attention in the matter of development, actually such areas have not received a fair deal and the result is that the people in certain regions of these States continue to suffer and languish in the matter of development in the economic, social, educational and industrial fields.

It is, therefore, felt imperative that the people of Vidarbha, Marathwada, Saurashtra and Kutch are assured that speedy development measures will be taken in these regions. To achieve this end, the present provision in the Constitution needs to be suitably amended.

Hence this Bill.

NEW DELHI;

*February 19, 1987*

BANWARI LAL PUROHIT

**BILL No. 32 OF 1987**

*A Bill to amend the Prevention of Insults to National Honour Act, 1971.*

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

**1.** This Act may be called the Prevention of Insults to National Honour (Amendment) Act, 1987.

Short title.

**2.** In section 2 of the Prevention of Insults to National Honour Act, 1971,—

Amend-  
ment of  
section 2.

(i) after the words “Constitution of India or any part thereof”, the following words shall be inserted, namely:—

“or National Emblem or Insignia or any other object pertaining to national honour and or refuses to sing National Anthem or tries to create public opinion against, or tries or does anything to create public hatred against, or makes appeals to boycott, or tries to obstruct, the observance of national functions such as the Republic Day and Independence Day and any other celebration of national importance”; and

(ii) for the words “shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both” the words “shall forfeit his right of franchise for a period of six years, and shall be punished with imprisonment which may extend to five years or fine which may extend to ten thousand rupees or with both” shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

There has arisen a tendency among some citizens to indulge in acts of insult to national honour in various ways, especially by speeches and actions, for selfish political ends. This is apart from actions regarding religious bigotry, recessionist and fissiparous involvement among the vulnerable sections of Indian population. All these actions are neither befitting the Indian citizens nor in the interests of national honour. The punishment prescribed in the Prevention of Insults to National Honour Act, 1971 is not deterrent enough which the exigencies of development inevitably call for.

Hence this Bill.

NARESH CHANDRA CHATURVEDI

NEW DELHI;

*February 24, 1987.*

**BILL NO. 27 OF 1987**

*A Bill further to amend the Special Marriage Act, 1954.*

BE it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

**1. (1)** This Act may be called the Special Marriage (Amendment) Act, 1987.

**(2)** It shall come into force at once.

**2.** In section 4 of the Special Marriage Act, 1954, after clause (e), the following clause shall be inserted, namely:—

“(f) where the marriage does not violate the personal law of the religious community or group to which either party or both parties to the marriage belong.”.

Short title and commen-  
cement.

Amend-  
ment of  
section 4.

### STATEMENT OF OBJECTS AND REASONS

The Special Marriage Act, 1954, is applicable to all persons irrespective of the religion that they profess or even if they do not profess any religion. Many religions have prescribed religious laws to regulate marriage among its adherents or the marriage of its adherent to a person who is not.

A person is free to profess or not to profess a religion. But so long as he professes the religion he is bound by its laws governing marriage. It is possible that in a given situation, the proposed marriage may not be against the religious laws of the persons concerned, but in case there is a conflict of law, it can be resolved only if such a person opts out of his religion.

In some other aspects the Special Marriage Act, 1954 does take cognizance of the religious prohibition in the name of custom.

It is proposed that the Act should clearly lay down that it does not envisage a marriage in violation of the personal law of the party or the parties to the marriage, except if they, by an explicit declaration, opt out of the religion concerned.

Hence this Bill.

NEW DELHI;  
*February 25, 1987.*

SYED SHAHABUDDIN

## BILL NO. 31 OF 1987

*A Bill further to amend the Ancient Monuments and Archaeological Sites and Remains Act, 1958.*

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment) Act, 1987

(2) It shall come into force at once.

Short title  
and  
commen-  
cement.

2. In section 5 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958,—

Amend-  
ment of  
section 5.

(i) after sub-section (4), the following sub-section shall be inserted, namely:—

“(4A) Nothing in this section shall detract the Director General from his duty and responsibility to protect the sanctity of a place of worship declared to be a protected monument and for the time being placed under his guardianship and to regulate accordingly access by the public, or its care and maintenance by his staff.”;

(ii) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) Nothing in this section shall effect the freedom of worship in any protected monument which is or has been a place of worship or bar resumption of religious observance therein, at the request of the members of the religious community concerned living within one kilometre radius of the monument:

Provided that such observance does not entail any constitutional alteration which could affect the architectural, historical or aesthetical character or value of the monument.”.

### STATEMENT OF OBJECTS AND REASONS

Many places of worship and shrines throughout the country which are of historic value have been declared as protected monuments. Many of them are under active use as a place of worship. Some of them which are at presently not in such use are under demand for the resumption of religious observance. Since the very purpose of the construction of such places of worship was religious observance, in principle, freedom of religion worship must be guaranteed. At present, it is being obstructed by the Department of Archaeology on the ground that at the time of notification they were not in active service. This is mistaken view which has caused unnecessary controversy. However, in order to maintain the architectural, historical and aesthetical character of the monument, while giving due consideration to the request of the religious community concerned to perform worship in such monuments, it should be laid down that such arrangement is subject to the preservation of its architectural, historical and aesthetical character.

Many such places of worship because of paucity of resources are not receiving much care. In fact visitors enter them with their shoes on and sometimes they even become dens for anti-social or frivolous activities which detract from sacred character of the premises. It should be the responsibility of the department to protect the sanctity of the place of worship and to regulate access and to employ staff accordingly.

Hence this Bill.

NEW DELHI;  
February 25, 1987

SYED SHAHABUDDIN

BILL No. 37 OF 1987

*A Bill to provide for reservation of posts in public employment and of seats in higher educational institutions for various categories of persons belonging to economically weaker sections of the people.*

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Reservation for Economically Weaker Sections of the People (Higher Education and Public Employment) Act, 1987. Short title.

2. In this Act,—

Definitions.

(a) “economically weaker sections of the people” means and includes families, irrespective of religion, race, caste, descent, place of origin or any of them, whose per capita aggregating income from all sources, including the individual income of all its members, does not exceed the average national per capita aggregating income for the last three years;

(b) “higher castes” means Brahmins, Rajputs and Vaishiyas and include all the sub-castes thereof;

(c) "higher education" means education at a level higher than the secondary, professional or otherwise, and includes post-graduate education;

(d) "other backward classes" means other Hindu sub-castes, not being Scheduled Castes or Scheduled Tribes; and

(e) "public employment" means appointment to a public service or post under the Central Government in connection with the affairs of the Union and includes appointment to a post in an undertaking of the Central Government or an institution or an organisation or a society, engaged in any activity, fifty-one per cent of whose capital or recurring expenditure has been contributed directly or indirectly by the Central Government.

"appointment" does not include promotion from a lower post to a higher post on the basis of seniority or merit or fitness or any combination thereof, so long as the selection is internal.

**Reservation  
in  
public  
employ-  
ment**

3. (1) There shall be reservation in public employment for candidates belonging to economically weaker sections of the people.

(2) Such employment or appointment shall be apportioned among various identifiable social groups i.e. the Scheduled Castes, the Scheduled Tribes, the other backward classes and higher castes as well as religious minorities in proportion to their population in the field of selection, i.e. panchayat, block, district, State or the Union, as the case may be:

Provided that reservation in favour of the Scheduled Castes and Scheduled Tribes shall be in proportion to their population in the field of selection, while the reservation for the other social groups shall be in proportion to fifty per cent of their population in the field of selection:

Provided further that a sub-group which forms five per cent or more of the population of the field of selection may be treated as a separate group if it so desires, and a social group which forms less than five per cent of the population of the field of selection may be joined with another social group of its choice.

**Reserva-  
tion in  
educa-  
tional insti-  
tutions.**

4. (1) Fifty per cent of the seats in a higher educational institution at each point of intake shall be reserved for candidates belonging to the economically weaker sections of the people.

(2) The reservation in educational institutions shall be apportioned in the same manner as laid down in sub-section (2) of section 3.

**Beneficiary  
to avail of  
the benefit  
of reserva-  
tion in  
public  
employ-  
ment only  
once in  
life time.**

5. No individual beneficiary shall be entitled to avail of the benefit of reservation in public employment more than once in his life

6. The descendant of any beneficiary of reservation in public employment for Groups A and B posts shall not be entitled to the benefit of reservation in public employment.

Descen-  
dants of  
benefici-  
aries of  
reserva-  
tion for  
Groups A  
and B  
posts not  
to be  
entitled  
for  
reserva-  
tion.

7. Minimum qualifications for public employment or for admission to educational institutions shall be uniform and shall not be relaxed.

Minimum  
qualifica-  
tions not  
to be  
relaxed.

8. There shall be no reservation in promotion within a service or a cadre and promotion shall depend solely on the relative performance and merit of all those in the zone of promotion as defined under the relevant rules.

No reser-  
vation for  
promotion.

9. The quantum of reservation in favour of any group which remains un-utilised for lack of candidates fulfilling the minimum qualification or requirement of eligibility shall be re-distributed among the candidates of other social groups in proportion to their surplus of qualified and eligible candidates, failing which the vacancies shall be transferred to the non-reserved pool.

Redistri-  
bution of  
reserva-  
tion quota.

10. The Central Government shall have the power to make rules and to frame scheme or schemes for reservation and to announce roster or rosters for the application of this Act.

Power  
to make  
rules.

### STATEMENT OF OBJECTS AND REASONS

At present reservation in public employment and in higher education is available mainly to two social groups namely Scheduled Castes and Scheduled Tribes. In some States reservation has been extended to other backward classes which are socially and educationally backward. In some cases such extension is subject to the economic means test. So far, other social groups, mainly the higher castes of the Hindu community and the other religious communities, do not fall under the purview of the scheme of reservation. The economically weaker sections of the higher castes groups as well as the religious minorities as a whole are generally under-represented both in public employment and in higher education. This under-representation sets up a vicious circle in which they are unable to benefit from the process of development, on one hand, and contribute to the process, on the other.

Also the existing scheme of reservation has created anomalies even within the beneficiary sections. In each of them, the relatively richer and socially advanced sub-sections corner the benefits and such benefits are transmitted from generation to generation, thus creating another exclusive and preferential group in society. Thus the poor majority in all sections of our people have been deprived of benefits which arise from protective discrimination such as reservation.

A universal economic criterion is needed to bring under the purview of the scheme of reservation of the weaker sections of all social groups irrespective of their caste or community. At the same time, in order to universalise the benefits, the total quantum of reservation should be apportioned among the various social groups in proportion to their population within the field of selection. Keeping in view the requirements of good administration every social group should receive a weightage of 50 per cent, with the exception of the Scheduled Castes and Scheduled Tribes which, for historical reasons, should receive 100 per cent weightage. Thus a ceiling of 61.25 per cent on the total quantum of reservation will safeguard the interest of social justice as well as administrative efficiency and provide incentive to merit and pursuit of excellence. It is also desirable that minimum standards of qualifications for admission to higher education or for public employment should not be eroded and there should be no carry-over from year to year of unutilised quantum of reservation, so that posts and seats are not kept vacant which would be a national loss.

Finally, the benefit of reservation in education or employment should not go to the same person or to the same family more than once so as to ensure a more equitable and widespread coverage of society.

Hence this Bill.

NEW DELHI;  
February 27, 1987.

SYED SHAHABUDDIN

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules and to frame scheme or schemes for reservation and for carrying out the purposes of the Bill. The rules will relate to matter of detail only and as such the delegation of legislative power is of a normal character.

**BILL No. 35 OF 1987**

*A Bill to provide for proper labelling of all packed articles meant for human consumption.*

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Compulsory Labelling of Packed Articles of Human Consumption Act, 1987.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Labelling of packed articles of food, drink, etc.

2. Notwithstanding anything contained in any other law for the time being in force, there shall be displayed in a proper manner by a proper label affixed on every packed article of food, drink, cosmetic, drug, or any other packed article, which is meant for human consumption in any manner, the following information, namely:—

(a) the various ingredients used in the packed article and the ratio in which such ingredients have been used;

- (b) the sources of derivation of various ingredients used in the article;
- (c) the generic and commonly known names of such ingredients;
- (d) the side effects, if any, which the consumption of such packed article is likely to have on persons suffering from a particular ailment.

3. The Central Government shall take such measures as are necessary to give effect to the provisions of this Act.

Measures  
to be  
taken by  
Govern-  
ment.

4. The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

Power to  
make  
rules.

### STATEMENT OF OBJECTS AND REASONS

Food allergy is a common medical problem these days. Timely recognition of food allergy can bring radical changes in the clinical picture. Food items, cosmetics and drugs may contain the allergen which is not identified due to lack of proper labelling, etc. All food articles, particularly the packed food, tinned food, drinks and jams, jellies, etc. and cosmetics and drugs should have proper labels indicating the full details of its ingredients and the sources of derivation of these ingredients. Immediate remedial measures are required to be taken in cases of food-poisoning, allergy and intoxication, etc. If proper labels mentioning the contents and their sources are pasted, many lives can be saved by timely identification of the cause and by giving right treatment.

The legislation in western countries requires proper labelling of packed food articles, drinks, etc. Many health hazards can be minimised by stopping the person from taking a particular food substance or the person can be de-sensitized with the allergen.

It is, therefore, very urgent and necessary that a suitable law is enacted for compulsory labelling of all packed or tinned articles of food and drinks, cosmetics and drugs, etc.

The Bill seeks to achieve the above objective.

NEW DELHI;

*February 25, 1987*

DAL CHANDER JAIN

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of detail only. The delegation of legislative power is, therefore, of a normal character.

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SUBHASH C. KASHYAP,  
*Secretary-General.*

